



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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April 16, 1999

Dean Nyffeler  
BLM Price FO  
125 South 600 West  
Price, Utah 84501

Re: Receipt of Deficient Notice of Intention to Commence Small Mining Operations, United States Gypsum Company (USG), San Rafael Quarry, S/015/075 (UTU-76643), Emery County, Utah

Dear Mr. Nyffeler:

On April 2, 1999 the Division received a letter and a small mine notice from USG. The letter was a request to rescind the Plan Of Operations (POO)/Notice of Intention to Commence Large Mining Operations (NOI-LMO) submitted on June 11, 1998 by USG. The proposed San Rafael Quarry small mine project is located in the NE1/4 NE1/4 of Section 22, T23S, R8E, SLBM, Emery County, Utah. We have received a copy of the BLM response letter to USG dated April 9, 1999 which describes several permit deficiencies in this proposed notice.

The Division received a permit fee payment of \$350 with the 6/11/98 POO/NOI-LMO submission and a \$100 permit fee payment with the recent new small mine notice. Since the Division did not complete a review of the POO/NOI-LMO and since the file is being closed, acceptance of both the \$350 fee and \$100 fee is inappropriate. Since both payments were within the same fiscal year, the Division will apply the initial \$350 payment to this new small mine notice and return the \$100 payment to USG with a copy of this review letter.

The proposed small mine project area is within close proximity to disturbances created by USG under an exploration notice E/015/066 (UTU-71056). The exploration disturbances have been reclaimed, but have not met revegetation standards for release yet. Under the Division's policy for neighboring or related sites, these unreleased disturbances would be included in the five acre limitation for USG's new small mine notice. The reclaimed, but unreleased exploration project disturbance on BLM managed land is approximately 2.02 acres.

The Division has evaluated the above mentioned Notice under the Small Mining Operation section of our Rules. The information provided in the notice **does not** meet the requirements of Rule R647-3 of the 1988 Division of Oil, Gas and Mining Minerals Rules, and Title 40-8, et seq., of the Utah Mined Land Reclamation Act of 1975. **The following information is still required from the operator, USG:**

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- The notice form lists a Utah mine claim number and state lease ML47291. From the project location description it appears that this project will not involve new disturbances on the state lease. At this time, proposed disturbances appear to be limited to section 22, T23S, R8E. Please confirm or clarify this.
- Please provide a more detailed site map or sketch which includes the location and dimensions of the proposed project surface disturbances. These disturbances would include new access roads, excavation areas, soil stockpiles, overburden stockpiles, etc.
- Please provide an estimate of the proposed disturbed acreage. The small mine notice did not include a numeric estimate of the project disturbance, but simply described the project disturbance as being less than five acres. Given the amount of existing unreleased disturbance, the surface disturbance for this new small mine notice should not exceed 2.98 acres or the Division would require a large mine notice.
- The last page of the notice form indicates confidential information is enclosed; however, no information included in the submission is identified as being confidential. Please clarify which information was intended to be confidential. Division rules allow information relating to the location, size and nature of the mineral deposit to be protected as confidential if marked as confidential by the operator. Please provide any confidential information as a separate attachment to allow for easier segregation.

It is understood that the Division will notify your office of any permitting concerns we may have, and in turn, your office, acting as 'Lead Agency' will notify the operator accordingly. Since a BLM review letter has already been sent out, we will forward a copy of this letter directly to USG in the interest of time.

The Division will suspend review of this small mine notice until a response to these deficiencies is received. Please provide us with a copy of the BLM's final completeness/approval letter to the operator. In addition, if you receive additional information or amendments for this operation, please notify us so we can update our files. Please reference our designated file number S/015/075 when forwarding additional information on this project to us.

Sincerely,



Anthony A. Gallegos  
Senior Reclamation Specialist

jb  
cc: Brian Tilley, USG w/returned \$100 payment  
Roger L. Bon, UGS  
Tracking File  
s15-75.noi